

REMARKS/ARGUMENTS

This amendment is filed in response to the Office Action of April 24, 2003. Claims 1-27 and 29-38 are pending in this application. In the Office Action, the Examiner rejected claims 1-8, 13-18, and 26 under 35 U.S.C. § 102(e). The Examiner allowed claim 25 and objected to claims 9-12, 19-24 and 27-28 as containing allowable subject matter but being dependent from rejected base claims. Claims 29-38 are new and hereby presented for examination.

Claims 1 and 14 have been amended with support for the amendment on page 12, line 2-6 of the specification. Claim 29-38 adds an-additional feature from pages 11 and 12 of the specification. Claim 26 has added allowable subject matter from dependent claim 28. Accordingly, claim 28 has been canceled without prejudice.

Rejection of Claims 1-8, 13-18, and 26 under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-8, 13-18, and 26 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,234,517 to Miyahara, et al. (hereinafter, "Miyahara"). Applicant respectfully submits that claims 1-8, 13-18, and 26 as amended are not anticipated by Miyahara for the reasons given below.

"To anticipate a claim, a prior art reference must disclose every limitation of the claimed invention, either explicitly or inherently." *In re Schreiber*, 44 USPQ2d 1429, 1431 (Fed. Cir. 1997). Independent claims 1 and 14 have been amended to require a plurality of attachment locations for the second attachment members. Miyahara does not teach an attachment member attachable at a plurality of attachment locations. Rather, Miyahara teaches only attachment mechanisms which are attachable at a single location. Miyahara states that, "The supporting piece 20 of the tieback 19 is tightened in place ... by means of a bolt (not shown in the drawing), which passes through a nut (not shown in the drawing) and the mounting holes 1a and 20a." Miyahara, column 4, lines 5-9. A nut and bolt, used in attaching a module, requires the nut and

Appl. No. 09/996,021
Amdt. dated July 21, 2003
Reply to Office Action of April 24, 2003

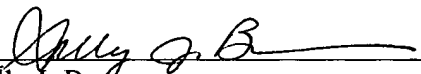
bolt interface with their holes 1a and 20a. Thus, Miyahara no longer anticipates amended claims 1 and 14.

Independent claim 26 has been amended to include the allowable subject matter of dependent claim 28. The Examiner in the office action stated that claim 28 was objected to "as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form." Office Action, page 3, no. 4. Thus, Applicant respectfully submits that claim 26 is not anticipated by Miyahara.

Dependent claims 2-8, 13, and 15-18 are not anticipated by Miyahara because they depend from claims 1 and 14. Therefore, Applicant respectfully asserts that claims 1-8, 13-18, and 26 are patentably distinct from the cited references, and requests that a timely Notice of Allowance be issued in this case.

If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,


Sally J. Brown
Reg. No. 37,788
Attorney for Applicants

Date: 7/21/03

Autoliv ASP, Inc.
3350 Airport Road
Ogden, Utah 84405
Telephone: (801) 625-4800

ACKNOWLEDGEMENT screen (Attachment 3) will be returned to allow verification of the time entered.

Part 2
#7

If there is comp time to be entered or changed, then the question should be answered "Y". A new comp time entry screen will be returned. The screen, as shown in Attachment 4, allows data entry into the 4 categories as either comp time earned or comp time used. The numbers from rows 1 - 4 of the Bi-weekly Totals (two right columns) of the Supplemental Bi-weekly Time Sheet should be entered on this screen. When this screen is transmitted, the updates are completed and the EXAMINER TIME ACKNOWLEDGEMENT screen will be returned for verification of hours. The verification screen's comp earned and comp used totals should equal the Bi-weekly Total from lines 5a and 5b of the Supplemental Bi-weekly Time Sheet. If not, the transaction should be repeated to correct the entries.

BEGINNING BALANCES

To allow tracking the current balance of comp time for each of the four categories in PALM, beginning balances are stored at the start of each fiscal year. A new PALM transaction (3160) will be used for correction and initial entry of comp time beginning balances. Since the new Comp Time Pilot Program has been instituted and is effective on June 1, 1994, balances as of May 31, 1994 must be entered as beginning balances for FY-94. At the end of the fiscal year (October 1), the PALM system will calculate and store new beginning balances for FY-95.

The timekeeper or Team Leader enters examiner's comp time balances as of May 31, 1994 as beginning balances, using PALM transaction 3160 (new). The inputs for BCR transaction 3160 are: 3160 + PASSWORD + EXAMINER NUMBER + GAU + UNIVERSAL SEND. The password must be level 1 or 2. Access level passwords will not allow this transaction to be completed. The transaction will return a CRT screen as shown in Attachment 5. Enter the comp balances of May 31, 1994 into the appropriate fields, enter a "y"

at the bottom of the screen and transmit. There will be a return screen verifying completion of the transaction. Transaction 3160 must be completed for each examiner who has a comp balance in any category on May 31, 1994. No action is necessary when an examiner's comp balance is zero for all four categories. The preset values will be zero. If an examiner has a negative beginning balance in Religious comp time, the timekeeper should call Dave Talbott (305-9883) or Mike Masinick (305-9889) for further instructions.

This transaction will remain available to allow corrections to "beginning" comp time balances, but should only be used when a correction is necessary in data prior to the effective date of the beginning balance. For the remainder of FY-94, the beginning balance effective date will be June 1 and for FY-95 the beginning balance effective date will be October 1, 1994. Current year corrections should be made by adjusting the earned or used categories for the pay period in which an error has occurred.

REPORTS

The attached sample reports will be run as part of the normal end of bi-week examiner PALM reports. The examiner will receive the P01 report which will give Earned and Used for pay period, quarter and fiscal year for each of the four categories of compensatory time and a total earned and used for all categories. On the third line of data on the report, "PR FY" will show the ending balance for the previous year or the beginning balance for the current year. "BAL" gives the current balance which is calculated by adding the "PR FY" and the Earned and then subtracting the USED.

P02 and P03 are Art Unit and Group rollups of the same data.

ATTACHMENT 1

Instructions for completing the "Supplemental Bi-weekly time sheet"

1. Enter Religious comp time worked (earned) under line 1a and taken (used) under line 1b for the appropriate day. Sum the hours earned and used for the week under WK1 TTL for week 1 and WK2 TTL for week 2. Add the WK1 TTL and WK2 TTL from line 1a and enter into BI-WEEKLY EARN column. Add the WK1 TTL and WK2 TTL from line 1b and enter into the BI-WEEKLY USED column.
2. Enter Maternity / Paternity comp time worked (earned) under line 2a and taken (used) under line 2b for the appropriate day. Compute the bi-weekly totals as set forth above.
3. Enter FMLA comp time worked (earned) under line 3a and taken (used) under line 3b for the appropriate day. Compute the Bi-weekly totals as set forth above.
4. Enter Pilot Program comp time worked (earned) under line 4a and taken (used) under line 4b for the appropriate day. Compute the bi-weekly totals as set forth above.
5. Compute the Total comp worked/used by summing Religious (line 1a/1b), Maternity/Paternity (line 2a/2b), FMLA (line 3a/3b) and Pilot Program (line 4a/4b) and enter into Totals (line 5a/5b). Compute the bi-weekly totals as set forth above.
6. Copy Total Comp Worked (line 5a) onto form PTO-690E line K (Compensatory time worked). Copy Total Comp Taken (line 5b) onto form PTO-690E line F (Compensatory time taken).
7. The Bi-weekly Earned column and the Bi-weekly Used column for lines 1, 2, 3 and 4 will be entered into the PALM compensatory time entry screen.
8. The employee must sign the Supplemental Bi-weekly time sheet to acknowledge receipt of compensatory time in lieu of paid overtime.

**SUPPLEMENTAL BI-WEEKLY TIME SHEET
FOR COMPENSATORY TIME**

EMPLOYEE _____

UNIT _____

PERIOD ENDING _____

	WEEK 1								WEEK 2								BI-WEEKLY		
	SU	MO	TU	WE	TH	FR	SA	WK1 TTL	SU	MO	TU	WE	TH	FR	SA	WK2 TTL	SUBPROJECT	EARN	USED
1a) RELIGIOUS COMP WORKED (EARN)																	###		**** ****
1b) RELIGIOUS COMP TAKEN (USED)																	051300	**** ****	
2a) MAT/PAT COMP WORKED (EARN)																	054000		**** ****
2b) MAT/PAT COMP TAKEN (USED)																	054000	**** ****	
3a) FMLA COMP WORKED (EARN)																	053300		**** ****
3b) FMLA COMP TAKEN (USED)																	053300	**** ****	
4a) PILOT PROGRAM WORKED (EARN)																	055000		**** ****
4b) PILOT PROGRAM TAKEN (USED)																	055000	**** ****	
5a) TOTAL COMP WORKED (EARN)																			**** ****
5b) TOTAL COMP TAKEN (USED)																		**** ****	

Use Subproject code normally used to report overtime for your organization.
For example, examiners use 112012.

WHERE COMPENSATORY TIME IN LIEU OF PAID OVERTIME IS AUTHORIZED, THE EMPLOYEE'S SIGNATURE ACKNOWLEDGES THAT COMPENSATORY TIME WILL BE UTILIZED IN LIEU OF PAID OVERTIME AND THAT THE PILOT PROGRAM'S COMPENSATORY TIME WILL NOT BE UTILIZED AS A MEANS OF CONSTANTLY AVOIDING ACCESSIBILITY ON CORE DAYS (TUESDAYS AND THURSDAYS), UNLESS THE COMPENSATORY TIME WAS EARNED UNDER FMLA, MATERNITY/PATERNITY, OR THE RELIGIOUS COMPENSATORY LEAVE PROGRAMS.

signature

date

Attachment 2

PAY PERIOD: EXAMINER TIME INPUT
GROUP ART UNIT:

EXAMINER NAME:

EMPLOYEE NUMBER: GRADE: DATE: / /

STEP: DATE: / / POSITION NUMBER:

***** EXPECTANCY *****

EXPECT (GS12): . FACTOR: . EFFECT. OSI:
***** TIME *****

SPE STATUS (T = TRUE, F = FALSE - CHANGE IF NECESSARY)

REG AVAILABLE: DETAIL: EXCUSED ABSENCE: OTHER:

LEAVE: NON-ASSIGNED: HOLIDAY:

EXAMINING OVERTIME:

PAY PERIOD WORKFLOW ADDITIONS: . WORKFLOW SUBTRACTIONS:

ENTER COMP TIME?(Y OR N)

WARNING: DATA SECURITY AND CONFIDENTIALITY RESTRICTIONS APPLY

Attachment 3

EXAMINER TIME ACKNOWLEDGEMENT
PAY PERIOD: GROUP ART UNIT:

EXAMINER NAME:

EMPLOYEE NUMBER: GRADE: DATE: / /

STEP: DATE: / / POSITION NUMBER:

***** EXPECTANCY *****

EXPECT(GS12): . FACTOR: . EFFECT. OSI:

***** TIME *****

SPE STATUS (T = TRUE, F = FALSE)

REG AVAILABLE: COMP EARNED: COMP USED: ADJ AVAIL:

DETAIL: EXCUSED ABSENCE: OTHER: LEAVE:

NON-ASSIGNED: HOLIDAY:

PAY PERIOD WORKFLOW ADDITIONS: WORKFLOW SUBTRACTIONS:
EXAMINING TIME: EXAMINING OVERTIME: TOTAL EXAM TIME: END OF DISPLAY
WARNING: DATA SECURITY AND CONFIDENTIALITY RESTRICTIONS APPLY

Attachment 4

EXAMINER COMP TIME INPUT

PAY PERIOD:

GROUP ART UNIT:

EXAMINER NAME:

EXAMINER #:

EARNED

USED

COMP TIME RELIGIOUS

COMP TIME MATERNITY/PATERNITY

COMP TIME FMLA

COMP TIME PILOT PROGRAM

OK TO UPDATE(Y OR N)

WARNING: DATA SECURITY AND CONFIDENTIALITY RESTRICTIONS APPLY

Attachment 5

PREVIOUS FY ENDING COMP BALANCE

PAY PERIOD:

GROUP ART UNIT:

EXAMINER NAME:

EXAMINER #:

BALANCE

RELIGIOUS COMP TIME

MATERNITY/PATERNITY COMP TIME

FMLA COMP TIME

PILOT PROGRAM COMP TIME

OK TO UPDATE(Y OR N)

WARNING: DATA SECURITY AND CONFIDENTIALITY RESTRICTIONS APPLY

US PATENT AND TRADEMARK OFFICE

COMPENSATORY TIME REPORT

RUN DATE 00/00/00
PAYPERIOD 0000

EXAMINER

EXAMINER NAME/NUMBER	RELIGIOUS	MATERNITY/PATERNITY	FMLA	COMP TIME PILOT	TOTAL
XXXXXXXXXXXXXXXXXXXX	PP 0000 0000	PP 0000 0000	PP 0000 0000	PP 0000 0000	PP 0000 0000
1999	USE 0000 0000	QT 0000 0000	QT 0000 0000	QT 0000 0000	QT 0000 0000
	PR FY 0000 BAL 000	PR FY 0000 BAL 000	PR FY 0000 BAL 000	PR FY 0000 BAL 000	PR FY 0000 BAL 000

EXAMINER

Attachment 6

US PATENT AND TRADEMARK OFFICE

COMPENSATORY TIME REPORT

CAU 9999

EXAMINER NAME/NUMBER	RELIGIOUS		MATERNITY/PATERNITY		FMLA		COMP TIME PILOT		TOTAL	
	PP	QT	PP	QT	PP	QT	PP	QT	PP	QT
XXXXXXXXXXXXXXXXXXXXX	EARN 3333	3333	PP	QT	PP	QT	PP	QT	PP	QT
XXXXXXXXXXXXXXXXXXXXX	USE 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
33333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333
EXAMINER NAME/NUMBER	PP	QT	PP	QT	PP	QT	PP	QT	PP	QT
XXXXXXXXXXXXXXXXXXXXX	EARN 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
XXXXXXXXXXXXXXXXXXXXX	USE 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
33333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333
EXAMINER NAME/NUMBER	PP	QT	PP	QT	PP	QT	PP	QT	PP	QT
XXXXXXXXXXXXXXXXXXXXX	EARN 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
XXXXXXXXXXXXXXXXXXXXX	USE 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
33333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333
EXAMINER NAME/NUMBER	PP	QT	PP	QT	PP	QT	PP	QT	PP	QT
XXXXXXXXXXXXXXXXXXXXX	EARN 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
XXXXXXXXXXXXXXXXXXXXX	USE 3333	3333	3333	3333	3333	3333	3333	3333	3333	3333
33333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333	PR FY 333	BAL 333

W
R
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[illegible]

US PATENT AND TRADEMARK OFFICE

COMPENSATORY TIME REPORT

RUM DATE 00/00/00
PAYPERIOD 0000

		RELIGIOUS				MATERNITY/PATERNITY				FMLA				COMP TIME PILOT				TOTAL			
		PP	QT	FY		PP	QT	FY		PP	QT	FY		PP	QT	FY		PP	QT	FY	
1101	EARN	0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000	
	USE	PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL
1102	EARN	0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000	
	USE	PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL
1103	EARN	0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000	
	USE	PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL
1104	EARN	0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000	
	USE	PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL
1105																					
1106																					
1107																					
1108																					
1109																					
1110																					
1111																					
1112																					

OTL EARN	0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000		0000	0000	0000	
USE	PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL	0000	0000	0000		PR	FY	0000	BAL
ARMING CONFIDENTIAL DATA - PRIVACY ACT PROVISIONS MUST BE FOLLOWED																				

DIRECTOR